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March 8, 2018

The Honorable Katherine Polk Failla
Thurgood Marshall
United States Courthouse
Courtroom 618
40 Foley Square
New York, NY 10007

Re: 1:17-cv-09962-KPF – Malibu Media v. John Doe
Plaintiff's Response to Pro Se Defendant's Letter Filed March 8, 2018

Dear Judge Failla:

The purpose of this letter is to state the Plaintiff's position with respect to the Pro Se Defendant's letter filed today, March 8, 2018, requesting leave to file motions to impose sanctions and for the pre-trial conference scheduled before the Court for tomorrow, March 9, 2018 at 10:30 a.m., to be treated as a pre-motion conference for the aforesaid motions, in connection with the above captioned matter.

Pro Se Defendant's request for pre-motion conference was just filed on March 8, 2018 and is not on consent, and due to all of my other court appearances and prior schedule I am entitled and would require three business days provided by the Court's local rules in order to fully evaluate and file Plaintiff's response to the pre-motion letter.

The initial naming of Defendant in this matter was inadvertent and has since been rectified through the Court's Order. We never oppose any Defendant initially proceeding anonymously if they so request. Defendant has done so in this case and we have not opposed. Any of Defendant's allegations of continuing harm may be due to the fact that though the Clerk was ordered to seal documents with Defendant's identity, some documents may be still viewable.

Respectfully Submitted,

By: /s/ Kevin T. Conway
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CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Kevin T. Conway
Kevin T. Conway, Esq. (KC-3347)